

DOCKET NO.: AM100299 P2 (WYNC-0677)
Application No.: 10/663,533
Examiner's Answer Dated: July 11, 2005

PATENT
REPLY FILED UNDER EXPEDITED
PROCEDURE PURSUANT TO
37 C.F.R. § 1.116

REMARKS

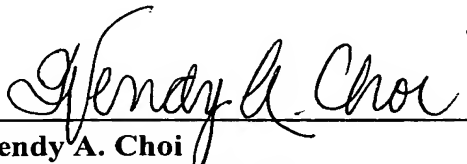
Claims 26 and 33 to 52 are pending in this application. Claims 26 and 33 to 52 stand finally rejected under 35 U.S.C. §112, first paragraph. Applicants/Appellants submitted an Appeal Brief on April 11, 2005, to which the Examiner responded by supplying an Examiner's Answer on July 11, 2005. Appellants have separately submitting herewith a Reply to the Examiner's Answer.

To expedite the resolution of the instant case under final rejection and on appeal, Appellants are herein amending claim 26 to recite that the method of the invention is useful in treating Alzheimer's disease and conditions relating to thermoregulation and sleep. The amendment therefore effects the removal of the conditions relating to appetite control, without prejudice or disclaimer. Appellants explicitly reserve the right to pursue the cancelled subject matter in one or more continuing applications. Appellants submit that no new matter is introduced by the amendment to the claims.

Appellants respectfully request entry of the amendment under 37 C.F.R. § 1.116(b) because the amendments to the claims either cancel claims, comply with requirements of form expressly set forth in a previous Office Action, or present the rejected claims in better form for consideration on appeal.

Appellants also respectfully request reconsideration and withdrawal of the rejection of the claims in view of the amendment. If the Examiner has any questions, the Examiner is invited to call the undersigned at (404) 459-5642.

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